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Japan Airlines International Co., Ltd.

**FILED**  
DISTRICT COURT OF GUAM  
JAN 30 2006AP  
MARY L.M. MORAN  
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

ROBERTO J. DEL ROSARIO and  
MELANIE DEL ROSARIO,

Plaintiffs,

vs.

JAPAN AIRLINES INTERNATIONAL  
CO., LTD.,

Defendant.

CIVIL CASE NO. CIV04-00028

**JOINT STATEMENT RE  
AVAILABILITY FOR TRIAL AND  
REQUEST THAT TRIAL COMMENCE  
AS SCHEDULED ON MARCH 13, 2006;  
DECLARATION OF SERVICE**

On November 9, 2005 the Court issued a trial scheduling order setting this action for trial on March 13, 2006.

More recently, the Court informed the parties that, due to the scheduling needs of the Court, this action may not go to trial on March 13, 2006. The Court further informed the parties that the uncertainty of the March 13, 2006 trial date would not be resolved until mid-February 2006. For certain trial witnesses and client representatives who reside and work in Japan, this uncertainty is very problematic.

In particular, two of Defendant's trial witnesses are flight attendants for Japan Airlines.

These witnesses have already arranged to be off duty during the week of March 13, 2006 in order to testify at the trial. Since Defendant's flight attendant schedules are set well in advance of the time the flight attendants actually work their assigned flights, it is very difficult to re-schedule the flight attendants' work schedule on short notice to coincide with an available trial date.

In addition, Defendant intends to have two company representatives at the trial. Though it is not as difficult to schedule trial attendance for those persons as it is for the flight attendants, travel logistics are, nonetheless, difficult on short notice.

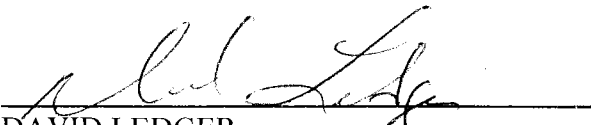
For these reasons and the additional reason of needing to get an aging case to trial, Defendant and Plaintiff jointly request this trial commence on March 13, 2006, as scheduled.

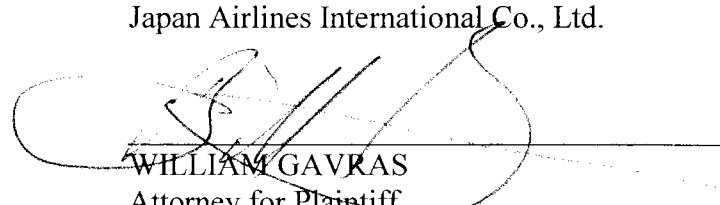
In order to assist the Court in arranging its civil trial calendar, the parties predict that it will take four to five days to conduct the trial.

DATED: Hagåtña, Guam, January 30, 2006.

CARL SMITH BALL LLP

LAW OFFICES OF  
GORMAN & GAVRAS, P.C.

  
\_\_\_\_\_  
DAVID LEDGER  
Attorneys for Defendant  
Japan Airlines International Co., Ltd.


  
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WILLIAM GAVRAS  
Attorney for Plaintiff  
Roberto J. Del Rosario

**DECLARATION OF SERVICE**

I, David Ledger, hereby declare under penalty of perjury of the laws of the United States, that on the 30 day of January 2006, I will cause to be served, via hand delivery, a true and correct copy of JOINT STATEMENT RE AVAILABILITY FOR TRIAL upon Plaintiffs Counsel of record as follows:

William L. Gavras, Esq.  
Law Offices of Gorman & Gavras, P.C.  
2<sup>nd</sup> Floor, J&R Building  
208 Route 4  
Hagåtña, Guam 96910

Executed this 30 day of January 2006 at Hagåtña, Guam.

  
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DAVID LEDGER